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THIRD SUPPLEMENTAL  
INFORMATION DISCLOSURE  
STATEMENT  
Patent Application  
Docket No. UF-378C1  
Serial No. 10/678,506

June 21, 2005

Margaret H. Efron, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§1.56, 1.97, AND 1.98**

Sir:

In accordance with 37 C.F.R. §§1.56, 1.97, and 1.98 the references on the attached form PTO/SB/08 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. For the examiner's convenience, full text copies of the non-patent literature documents and a copy of the first page of the cited

foreign patent documents are also enclosed. A full-text copy of U.S. Patent Application No. 09/708,789 is also provided herewith. The Applicants further note that German Patent Application No. DE 29902593, European Patent Application No. 0979997, Japanese Patent Application Nos. JP 08313407 and JP 09196915, and Russian Patent Application No. RU 2104535 cited as F1, F3, F7, F8, and F9, respectively, on the attached Form PTO/SB/08 are written in a foreign language. However, English language abstracts are provided for each of these foreign patent documents.

This information is being submitted subsequent to the later of three months after the filing date of the present application or the mailing of the first Office Action, but before the mailing of a Final Action or the Notice of Allowance. Please charge the fee of \$180.00 to Deposit Account No. 19-0065.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08 with initials or other appropriate marks. The applicants assert that the substantive provisions of 37 C.F.R. §§1.56, 1.97, and 1.98 are met by the foregoing statement.

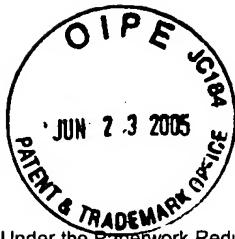
Respectfully submitted,



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MHE/lj

Attachments: Form PTO/SB/08  
Copies of references listed



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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

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of

7

### Complete if Known

Application Number	10/678,506
Filing Date	October 2, 2003
First Named Inventor	Richard J. Melker
Group Art Unit	1641
Examiner Name	Jacqueline A. DiRamio
Attorney Docket Number	UF-378C1

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Code <sup>2</sup>	Kind (if known)			
U1	3,792,272			02-12-1974	Harte <i>et al.</i>	
U2	3,649,199			03-14-1972	Littlejohn	
U3	3,951,607			04-20-1976	Fraser	
U4	4,150,670			04-24-1979	Jewett <i>et al.</i>	
U5	4,215,409			07-29-1980	Strowe	
U6	4,314,564			02-09-1982	Albarda	
U7	4,346,584			08-31-1982	Boehringer	
U8	4,432,226			02-21-1984	Dempster	
U9	4,456,014			06-26-1984	Buck <i>et al.</i>	
U10	4,735,777			04-05-1988	Mitsui <i>et al.</i>	
U11	4,796,639			01-10-1989	Snow <i>et al.</i>	
U12	4,868,545			09-19-1989	Jones	
U13	5,003,985			04-02-1991	White <i>et al.</i>	
U14	5,082,630			01-21-1992	Partin <i>et al.</i>	
U15	5,094,235			03-10-1992	Westenskow <i>et al.</i>	
U16	5,111,827	A		05-12-1992	Rantala	
U17	5,167,972	A		12-01-1992	Greenberg <i>et al.</i>	
U18	5,296,706	A		03-22-1994	Braig <i>et al.</i>	
U19	5,303,575	A		04-19-1994	Brown <i>et al.</i>	
U20	5,317,156	A		05-31-1994	Cooper <i>et al.</i>	
U21	5,361,771	A		11-08-1994	Craine <i>et al.</i>	
U22	5,409,839	A		04-25-1995	Balestrieri <i>et al.</i>	
U23	5,425,374	A		06-20-1995	Ueda <i>et al.</i>	
U24	5,447,165	A		09-05-1995	Gustafsson	
U25	5,453,359	A		09-26-1995	Gargan <i>et al.</i>	
U26	5,465,608	A		11-14-1995	Lokshin <i>et al.</i>	
U27	5,466,700	A		11-14-1995	Batenhorst <i>et al.</i>	

Examiner Signature		Date Considered
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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	10/678,506
(use as many sheets as necessary)				Filing Date	October 2, 2003
Sheet	2	of	7	First Named Inventor	Richard J. Melker
				Group Art Unit	1641
				Examiner Name	Jacqueline A. DiRamio
				Attorney Docket Number	UF-378C1

U.S. PATENT DOCUMENTS						
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		Number Code <sup>2</sup>	Kind (if known)			
U28	5,495,744	A		03-05-1996	Ueda et al.	
U29	5,501,212	A		03-26-1996	Psaros	
U30	5,558,083	A		09-24-1996	Bathe et al.	
U21	5,560,352	A		10-01-1996	Heim et al.	
U32	5,571,401	A		11-05-1996	Lewis et al.	
U33	5,573,005	A		11-12-1996	Ueda et al.	
U34	5,573,955	A		11-12-1996	Khanna et al.	
U35	5,634,517	A		06-03-1997	Linden et al.	
U36	5,716,852	A		02-10-1998	Yager et al.	
U37	5,771,890	A		06-30-1998	Tamada	
U38	5,776,783	A		07-07-1998	Kell	
U39	5,795,787	A		08-18-1998	Silkoff et. al.	
U40	5,801,297	A		09-01-1998	Mifsud et al.	
U41	5,826,577	A		10-27-1998	Perroz et al.	
U42	5,866,434	A		02-02-1999	Massey et al.	
U43	5,891,398	A		04-06-1999	Lewis et al.	
U44	5,925,014	A		07-20-1999	Teeple Jr.	
U45	5,928,167	A		07-27-1999	Wagner et al.	
U46	5,932,877	A		08-03-1999	Braig et al.	
U47	5,958,896	A		09-28-1999	Renshaw et al.	
U48	5,962,335	A		10-05-1999	Katzman	
U49	6,007,775	A		12-28-1999	Yager	
U50	6,025,200	A		02-15-2000	Kaish et. al	
U51	6,074,345	A		06-13-2000	Van Oostrom et al.	
U52	6,094,681			07-25-2000	Shaffer et al.	
U53	6,097,485	A		08-01-2000	Lievan	
U54	6,120,443	A		09-19-2000	Cohen-Laroque	
U55	6,131,571	A		10-17-2000	Lampotang et al.	

Examiner Signature	Date Considered
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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

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of

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**Complete if Known**

Application Number	10/678,506
Filing Date	October 2, 2003
First Named Inventor	Richard J. Melker
Group Art Unit	1641
Examiner Name	Jacqueline A. DiRamio
Attorney Docket Number	UF-378C1

**U.S. PATENT DOCUMENTS**

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		Number Code <sup>2</sup>	Kind (if known)			
U56	6,180,414	B1		01-30-2001	Katzman	
U57	6,186,977	B1		02-13-2001	Andrews et al.	
U58	6,216,690	B1		04-17-2001	Keitel et al.	
U59	6,234,006	B1		05-22-2001	Sunshine et al.	
U60	6,237,397	B1		05-29-2001	Shinar et al.	
U61	6,251,082	B1		06-26-2001	Rayburn	
U62	6,264,913	B1		07-24-2001	Wagner	
U63	6,277,081	B1		08-21-2001	Susi et al.	
U64	6,283,953	B1		09-04-2001	Ayer et al.	
U65	6,328,708	B1		12-11-2001	Georgieff	
U66	6,341,520	B1		01-29-2002	Satoh et al.	
U67	6,416,479	B1		07-09-2002	Seidman	
U68	6,455,319	B1		09-24-2002	Lewis et al.	
U69	6,467,333	B2		10-22-2002	Lewis et al.	
U70	6,511,453	B2		01-28-2003	Georgieff	
U71	6,558,626	B1		05-06-2003	Aker et al.	
U72	6,589,727	B1		07-08-2003	Klenerman et al.	
U73	6,597,438	B1		07-22-2003	Cabuz et al.	
U74	6,598,459	B1		07-29-2003	Fu	
U75	6,599,253	B1		07-29-2003	Baum et al.	
U76	6,599,281	B1		07-29-2003	Struys et al.	
U77	6,620,800	B1		09-16-2003	Roberts II	
U78	6,631,333	B1		10-07-2003	Lewis et al.	
U79	6,727,075	B2		04-27-2004	Fitzgerald et al.	
U80	6,755,783	B2		06-29-2004	Cosentino et al.	
U81	2001/0041366	A1		11-15-2001	Lewis et al.	
U82	2001/0021815	A1		09-13-2001	Katzman et al.	
U83	2001/0050228	A1		12-13-2001	Jaeger	
U84	2001/0055544	A1		12-27-2001	Copp	
U85	2002/0007687	A1		01-24-2002	Zimmermann et al.	
U86	2002/0014236	A1		02-07-2002	Dittmann et al.	

Examiner  
SignatureDate  
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(use as many sheets as necessary)				Filing Date	October 2, 2003
				First Named Inventor	Richard J. Melker
				Group Art Unit	1641
				Examiner Name	Jacqueline A. DiRamio
Sheet	4	of	7	Attorney Docket Number	UF-378C1

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		Number Code <sup>2</sup>	Kind (if known)			
U87	2002/0017300	A1		02-14-2002	Hickle et al.	
U88	2002/0173729	A1		11-21-2002	Viertio-Oja et al.	
U89	2003/0004426	A1		01-02-2003	Melker et. al.	
U90	2003/0008407	A1		01-09-2003	Fu	
U91	2003/0087239	A1		05-08-2003	Stanton et al.	
U92	2003/0216660	A1		11-20-2003	Ben-Oren et al.	
U93	2004/0027246	A1		02-12-2004	Aguiglia	
U94	2004/0101477	A1		05-27-2004	Leyland-Jones	
U95	2005/0065446	A1		03-24-2005	Talton	
	09/708,789			11-08-2000		
U96	(Application No.)			(Date Filed)	Lampotang et al.	
U97						
U98						
U99						
U100						
U101						
U102						
U103						
U104						
U105						
U106						
U107						
U108						
U109						
U110						
U111						

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		Code <sup>5</sup> Office <sup>3</sup> (known)	Number <sup>4</sup> (if known)			
	F1	DE	29902593 (English Abstract)	Genzyme Virotech GmbH	08-26-1999	
	F2	EP	0 370 151	A1 L'Air Liquide, S. A.	05-30-1990	
	F3	EP	0 979 997 (English Abstract)	A1 Siemens AG	02-16-2000	
	F4	GB	829,409	A Governors of the United Birmin	03-02-1960	
	F5	GB	2 309 166	A Cleansharp Limited	07-23-1997	
	F6	GB	2 329 245	A Cavkit Limited	03-17-1999	
	F7	JP	08313407 (English Abstract)	A Suzuki Motor Corp.	11-29-1996	
	F8	JP	09196915 (English Abstract)	A Otsuka Pharmaceut Co. Ltd.	07-31-1997	
	F9	RU	2104535 C1 (English Abstract)	Kogan et. al.	02-10-1998	
	F10	WO	87/02773	A1 Autosense Corp.	05-07-1987	
	F11	WO	92/10749	A1 Novapure Corporation	06-25-1992	
	F12	WO	95/08113	A1 Alpha M.O.S.	03-23-1995	
	F13	WO	95/31718	A1 Forschungszentrum Karlsruhe GmbH	11-23-1995	
	F14	WO	99/12471	A3 Oridion Medical Ltd.	03-18-1999	
	F15	WO	99/66304	A1 California Institute of Technology	12-23-1999	
	F16	WO	00/25108	A1 Copp Life Systems	05-04-2000	
	F17	WO	00/67820	A1 Aneo AB	11-16-2000	
	F18	WO	01/34024	A1 University of Florida	05-17-2001	

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	F19	WO 01/93743	A2	Healthtech, Inc.	12-13-2001	
	F20	WO 03/045473	A1	Mufa Ag	06-05-2003	

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	R1	DICKINSON, T. A. et al., "Current Trends in 'Artificial-Nose' Technology," <i>Tib Tech</i> , 1998, 16:250-258.				
	R2	FRAUENDORF et. al., "Detection of Small Organic Analytes by Fluorescing Molecular Switches," <i>Bioorganic &amp; Medicinal Chemistry</i> 9, (2001), pp. 2521-2524.				
	R3	FUJITA et. al., "A Simple Method for Detecting Plasma Propofol," <i>Anesth. Analog.</i> , 2000, 90:1452-1454.				
	R4	HAMMON III, W. S. et al., "Forensic GPR: Finite-Difference Simulations of Responses From Buried Human Remains," <i>Journal of Applied Geophysics</i> , (2000), 45:171-186.				
	R5	HUANG et. al., "Depth of Anesthesia Estimating & Propofol Delivery System," Aug. 1, 1996, <a href="http://www.rpi.edu/~royr/roy_descpt.html">http://www.rpi.edu/~royr/roy_descpt.html</a> .				
	R6	JAYASENA, "Aptamers: An Emerging Class of Molecules That Rival Antibodies in Diagnostics," <i>Clinical Chemistry</i> , 1999, 45(9):1628-1650.				
	R7	KENNY, "Target-Controlled Infusions –Pharmacokinetic and Pharmacodynamic Variations," <a href="http://www.anesthesiologie.med.uni-erlangen.de/esctaic97/a_kenny.htm">http://www.anesthesiologie.med.uni-erlangen.de/esctaic97/a_kenny.htm</a> .				

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	10/678,506
(use as many sheets as necessary)				Filing Date	October 2, 2003
Sheet	7	of	7	First Named Inventor	Richard J. Melker
				Group Art Unit	1641
				Examiner Name	Jacqueline A. DiRamio
				Attorney Docket Number	UF-378C1

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	R12	KUIPERS <i>et al.</i> , "First-pass Lung Uptake and Pulmonary Clearance of Propofol," <i>Anesthesiology</i> , (1999), 91:1780-1787.	
	R13	MILLER III, E. R. <i>et al.</i> , "Association Between Cigarette Smoking and Lipid Peroxidation in a Controlled Feeding Study," <i>Circulation</i> , (1997), 96(4):1097-1101.	
	R14	PHILLIPS, M., "Breath Tests in Medicine," <i>Scientific American</i> , 1992, pages 52-57.	
	R15	Pilar Kraman, "Prescription Drug Diversion," <i>Trends Alert</i> provided by the Council of State Government at <a href="http://www.csg.org">www.csg.org</a> (April 2004).	
	R16	STUART, B. H. <i>et al.</i> , "Studies of Adipocere Using Diffuse Reflectance Infrared Spectroscopy," <i>Vibrational Spectroscopy</i> , 24:233-242, (2000).	
	R17	STUBBS, D. D. <i>et al.</i> , "Investigation of Cocaine Plumes Using Surface Acoustic Wave Immunoassay Sensors," <i>Anal. Chem.</i> , 75:6231-6235, (2003).	
	R18	U.S. FOOD AND DRUG ADMINISTRATION, "FDA White Paper, Protecting the Public Health: FDA Pursues and Aggressive Enforcement Strategy," <a href="http://www.fda.gov/oc/whitepapers/enforce.html">www.fda.gov/oc/whitepapers/enforce.html</a> (06-30-2003).	
	R19	U.S. FOOD AND DRUG ADMINISTRATION, "New FDA Initiative to Combat Counterfeit Drugs," <a href="http://www.fda.gov/oc/initiatives/counterfeit/background.html">www.fda.gov/oc/initiatives/counterfeit/background.html</a> (07-02-2004).	
	R20	UNITED STATES DEPARTMENT OF JUSTICE, "Review of the Drug Enforcement Administration's (DEA) Control of the Diversion of Controlled Pharmaceuticals," Report Number I-2002-010 <a href="http://www.usdoj.gov/oig/inspection/DEA/0210/background.htm">www.usdoj.gov/oig/inspection/DEA/0210/background.htm</a> (September 2002).	
	R21	VASS, A., "Beyond the Grave – Understanding Human Decomposition," <i>Microbiology Today</i> , Nov. 2001, 28:190-192.	
	R22	VASS, A. <i>et al.</i> , "Decomposition Chemistry of Human Remains: A New Methodology for Determining the Postmortem Interval," <i>J. Forensic Sci.</i> , (2002), 47(3):542-553.	
	R23	VASS, A. <i>et al.</i> , "Detection of Buried Human Remains Using Bioreporter Fluorescence," U.S. Dept. of Energy Report, Y/NSP-726 (2001).	

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